



Attorney Docket No.

Patent  
022650-685

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Richard Derose et al.

Group Art Unit: 1638

Application No.: 10/023,839

Examiner: GEORGIA L HELMER

Filing Date: December 21, 2001

Confirmation No.: 4793

Title: ISOLATED DNA SEQUENCE CAPABLE OF SERVING AS REGULATORY ELEMENT IN A CHIMERIC GENE WHICH CAN BE USED FOR THE TRANSFORMATION OF PLANTS

REQUEST FOR CONTINUED EXAMINATION  
TRANSMITTAL LETTER

MAIL STOP RCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Customer Number 21839

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the

\$395.00 (2801)  \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1.  A. Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified in item 2 below.

B. Applicant(s) previously submitted the following documents for which continued examination is requested:

Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_

Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. The following documents are enclosed with this submission:

- Amendment/Reply.  
 Affidavit(s)/Declaration(s).  
 Information Disclosure Statement (IDS).  
 A Petition for Extension of Time.  
 Other: Exhibit A attached to Amendment and Reply.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

08/23/2005 JADD01 00000122 024800 10023839

02 FC:1801 790.00 DA

3.  Small entity status is hereby claimed.  
 No additional claim fee is required.  
 The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Examination Fee (1801)					\$ 790.00
Total Claims	12	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$200.00(1201) =	\$ 0.00
If multiple dependent claims are presented, add \$360.00 (1203)					
Total Fee					\$ 790.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee					\$ 0.00
<b>TOTAL FEE DUE</b>					<b>\$ 790.00</b>

4.  A check in the amount of \_\_\_\_\_ is enclosed for the fee due.  
5.  Charge \$ 790.00 to Deposit Account No. 02-4800 for the fee due.  
6.  Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.  
7.  Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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Filed: August 22, 2005

By



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